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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

F.O.,

Petitioner,

v.

THE SUPERIOR COURT OF TULARE
COUNTY,

Respondent;

TULARE COUNTY HEALTH AND HUMAN
SERVICES AGENCY,

Real Party in Interest.

F079254

(Super. Ct. No. JJV071774A)

OPINION

THE COURT*

ORIGINAL PROCEEDINGS; petition for extraordinary writ review. Hugo J.
Loza, Judge.

F.O., in pro. per., for Petitioner.

No appearance for Respondent.

No appearance for Real Party in Interest.

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* Before Detjen, Acting P.J., Snauffer, J. and DeSantos, J.

Petitioner F.O., is the father of Nicholas O. the subject of this extraordinary writ petition. (Cal. Rules of Court, rules 8.450, 8.452.)¹ In April 2019, at an uncontested six-month review hearing (Welf. & Inst. Code, § 366.21, subd. (e)),² the juvenile court terminated reunification services and set a section 366.26 hearing to consider permanent plans of adoption and legal guardianship for Nicholas and his three siblings. Petitioner seeks an extraordinary writ directing the juvenile court to continue reunification services. He does not, however, comply with the rule by asserting juvenile court error. Consequently, we dismiss his petition as facially inadequate for review.

PROCEDURAL AND FACTUAL SUMMARY

In September 2018, the Tulare County Health and Human Services Agency (agency) removed petitioner's four minor children, ranging in age from two months to nine years of age, from their mother, Brittney, after she was arrested for various offenses, including attempted carjacking, willful cruelty to a child, assault with a deadly weapon other than a firearm, violation of felony parole, false identification to peace officer and theft. At the time, petitioner was incarcerated for battery and assault with a deadly weapon. His scheduled release date was October 2018.

The juvenile court exercised its dependency jurisdiction over the children after sustaining allegations Brittney physically abused Nicholas, neglected the children by exposing them to domestic violence and uninhabitable living conditions, and abused drugs and alcohol. The court further found petitioner engaged with Brittney in domestic violence and left the children without means of support. The court ordered reunification services for the parents and set a review hearing for April 2019. The agency placed the children in foster care.

¹ Rule references are to the California Rules of Court.

² Statutory references are to the Welfare and Institutions Code.

Brittney remained incarcerated during the reunification period and was unable to participate in services. Petitioner was released from custody but did not comply with his services plan or regularly visit the children. In its report for the hearing, the agency recommended the juvenile court terminate reunification efforts and set a section 366.26 hearing to implement permanent plans for the children.

Petitioner did not appear at the six-month review hearing in April 2019. Brittney appeared in custody. Her criminal case was still unresolved. The juvenile court terminated reunification services and set a section 366.26 hearing for August 13, 2019. Brittney did not file a writ petition.

DISCUSSION

As a general proposition, a juvenile court's rulings are presumed correct. (*Denham v. Superior Court* (1970) 2 Cal.3d 557, 564.) Thus, absent a showing of error, this court will not disturb them.

A parent seeking review of the juvenile court's orders from the setting hearing must, as petitioner did here, file an extraordinary writ petition in this court on Judicial Council form JV-825 to initiate writ proceedings. The purpose of writ proceedings is to allow this court to review the juvenile court's orders to identify any errors before the section 366.26 hearing occurs.

Rule 8.452 requires the petitioner to identify the error(s) he or she believes the juvenile court made. It also requires the petitioner to support each alleged error with argument, citation to legal authority, and citation to the appellate record. (Rule 8.452(b).)

Aside from checking the box on the preprinted petition indicating his desired outcome, i.e., an order for continued reunification services, petitioner does not allege any grounds on which he claims the juvenile court erred.

When the petitioner does not allege legal error, as occurred here, there is nothing for this court to review. Consequently, we dismiss the petition as facially inadequate.

DISPOSITION

The petition for extraordinary writ is dismissed. This court's opinion is final forthwith as to this court pursuant to rule 8.490(b)(2)(A).